

Remarks

Prior to this amendment, claims 1, 23-33, 37, 48, 52-54, and 56-69 are pending in this application. By this amendment, claims 1, 33, 48, and 52 are amended. Claim 1 is amended herein to remove the phrase relating to "SCFv(17b)" and to correct a minor grammatical error. Claim 33 is amended to correspond with amended claim 1. Claim 48 is amended to more clearly identify "the protein" as "the bispecific fusion protein." Claim 52 is amended to remove the reference to pharmaceutical compositions for the treatment and/or prevention of HIV infection and to correct dependency.

No new matter has been added by these amendments. After entry of this amendment, **claims 1, 23-33, 37, 48, 52-54, and 56-69 are pending**. Unless specifically stated otherwise, none of these amendments are intended to limit the scope of any claim; Applicants reserve the right to pursue any removed subject matter in a related application.

Telephone Interview

Applicants thank Examiner Zeman for the courtesy of the January 10, 2006, telephone interview with their representative Dr. Anne Carlson. During the interview, the rejections of the claims under 35 U.S.C. §112, first and second paragraphs were discussed. On the basis of a draft set of amended claims faxed to Examiner Zeman, the Examiner indicated that the proposed amendments satisfactorily address the 35 U.S.C. §112 rejections. The Examiner also noted that claim 33, which depend from claim 1, should be amended in order to correspond with amended claim 1 and that claim 48 should be amended to more clearly identify "the protein" as "the bispecific fusion protein." It is believed that this response is in accordance with the discussion and suggestions made by the Examiner. Applicants note that, following the telephone interview with the Examiner, claim 1 has been further amended in order to correct a minor grammatical error. Applicants invite the Examiner to contact their representatives if he has any questions related to the claim amendments.

Information Disclosure Statement:

Applicants thank the Examiner for considering the Information Disclosure Statement submitted on March 11, 2005, and for providing Applicants' representatives with an initialed copy.

Claim rejections under 35 U.S.C. §112, first paragraph:

Claims 52-54 are rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to provide enablement for a kit comprising pharmaceutical compositions for the treatment and/or prevention of HIV infection. Applicants respectfully traverse this rejection. However, in the interest of advancing prosecution in the current application, claim 52 has been amended to remove the phrase "for treatment and/or prevention of HIV infection" and the term "pharmaceutical." Claims 53 and 54 depend directly and indirectly, respectively, from claim 52 and incorporate the limitations thereof. Applicants submit that the amendment of claim 52 overcomes the rejection of claims 52-54 and respectfully request that this rejection be withdrawn.

Claims 1, 23-33, 48, 52-54, 61, 63-64, and 66-69 are rejected under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicants respectfully traverse this rejection. However, in the interest of advancing prosecution in the current application, claim 52 has been amended to remove the phrase relating to "SCFv(17b)." Claims 23-33, 48, 52-54, 61, 63-64, and 66-69 depend, directly or indirectly, from claim 1 and incorporate the limitations thereof. Applicants submit that the amendment of claim 1 overcomes the rejection of claims 1, 23-33, 48, 52-54, 61, 63-64, and 66-69 and respectfully request that this rejection be withdrawn.

Claim rejections under 35 U.S.C. §112, second paragraph:

Claim 1, and claims 23-33, 37, 48, 52-54, and 56-69 which depend therefrom, are rejected under 35 U.S.C. §112, second paragraph, as allegedly rendered vague and indefinite because a unique entity (identified by the second occurrence of the verb "is" at line 6 in claim 1) cannot have multiple sequences. This rejection has been rendered moot by the amendment to

claim 1, discussed above. Amended claim 1 does not refer to a unique entity having multiple sequences. Claims 1, 23-33, 37, 48, 52-54, and 56-69 depend, directly or indirectly, from claim 1 and incorporate the limitations thereof. Applicants submit that the amendment of claim 1 overcomes the rejection of claims 1, 23-33, 37, 48, 52-54, and 56-69 and respectfully request that this rejection be withdrawn.

Claims 52-54 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being rendered vague and indefinite for depending on a canceled claim. Claim 52 has been amended to depend from claim 48. Claims 53 and 54 depend directly and indirectly, respectively, from claim 52 and incorporate the limitations thereof. Applicants submit that the amendment of claim 52 overcomes the rejection and respectfully request that the rejection of claims 52-54 be withdrawn.

Conclusion

Based on the foregoing amendments, the claims are in condition for allowance and notification to this effect is requested. If for any reason the Examiner believes that a telephone conference would expedite the allowance of the claims, please telephone the undersigned at (503) 595-5300.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By



Anne Carlson, Ph.D.
Registration No. 47,472

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 228-9446